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December 7, 2005

I've been asked by Pyle, Rome, Lichten, Ehrenberg & Liss-Riordan, PC to comment on the case of John Walsh. I have never been deposed previously and have never served as an expert witness. Attached is a copy of my current curriculum vitae. I am not being compensated for my comments or testimony.

The plaintiff began seeing me April 19, 2000 at my practice of General Internal Medicine at 930 Commonwealth Avenue Boston, MA. On October 19, 2000 Mr. Walsh complained of anxiety, insomnia and teeth grinding which he attributed to work related stress. In my office he was tearful and easily distracted. He also exhibited significant psychomotor irritability. Starting in January 2001, Mr. Walsh was started on anti-anxiety medication and also referred to Dr. Neal Gore to begin counseling for these problems. At this point he was experiencing severe anxiety causing migraine headaches. Due to the severity of his symptoms, I recommended on January 19, 2001 that Mr. Walsh take sick leave from work for one week. Despite this, his condition worsened throughout that winter and spring prompting him to be treated with a variety of anti-anxiety and migraine medications.

In June 2001, Mr. Walsh informed me he was denied time to go to his medical appointments. At that point he was seeing Dr. Gore once every one to two weeks. He was also seeing his Urologist for kidney stones approximately once per month and his dentist once per month. Mr. Walsh would see me approximately once every four to six weeks. His inability to seek medical attention unfortunately exacerbated his anxiety. With proper medical treatment his conditions would likely have improved and have resulted in less time off from work. Because of his worsening medical conditions and his inability to seek medical attention, I advised Mr. Walsh to consider applying for family and medical leave.

In late August 2001 Mr. Walsh stated that he hadn't been able to see his therapist in over eight weeks. I recommended that he take further time away from work to see if this could alleviate some of the severe anxiety and migraines he was experiencing. Return to work was then advised with the restriction that he needed to be



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able to attend medical appointments. Mr. Walsh was suspended from work in early September 2001. His case was briefly discussed with Dr. Cheryl Barbanel from Boston University Occupational Health and further clarification was requested regarding the amount of time which Mr. Walsh would need away from work. On October 1, 2001 a note was given to Mr. Walsh's supervisor stating that it was difficult to determine the amount of time that the plaintiff would need to be away from work. While I could estimate the time off needed for appointments, I did not feel that I was able to predict the amount of time off that would be required due to illness. Dr. Barbanel contacted my office again in early October however I was away. Upon my return, Mr. Walsh presented me with a request from his employer to complete a Family and Medical leave certificate. On November 16, 2001 this certification was completed stating Mr. Walsh's diagnoses as well as the reasons for his absences. No further request for clarification was received.

In terms of the amount of time away from work that Mr. Walsh would require I felt that he would need approximately two to four one hour visits with Dr. Gore per month. He would need to see his Urologist at most one hour per month. Visits to my office would be approximately forty minutes per month. I was unable to ascertain the total amount of time away from work due to illness, however. Mr. Walsh's headaches and anxiety were quite debilitating and were exacerbated by his work environment. Unfortunately, his inability to seek medical care contributed to the severity of his illness. He remains ill with significant anxiety, migraine headaches and teeth grinding despite continued medical therapy.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Abreu".

Abreu, MD Steven